

REMARKS/ARGUMENTS

The Office Action of November 21, 2006, has been reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 2, 4-32 and 42-65 are pending in this application. By this amendment claims 5, 15-17, 29 and 32 have been amended and new claims 58-65 have been added. No new matter has been added.

Examiner's interview

The undersigned thanks Examiner Pascua for the telephonic interview of February 8, 2007. During the interview, we discussed the outstanding rejections to the independent claims and potential claim amendments for a RCE that could place the claims in condition for allowance. As noted further below, Applicants respectfully submit that independent claims 5, 15, 29 and 32, as amended, are allowable over the prior art of record in accordance with the interview.

35 U.S.C. §102 Rejections

Independent claim 5 and claims 42 and 51-54 depending therefrom stand rejected as allegedly being anticipated by U.S. patent no. 5,338,117 to Kucksdorf et al. (Kucksdorf). The office action refers to Figs. 22 and 23 and the related description to support these rejections. Office Action, page 5. Applicants respectfully request reconsideration and allowance of claim 5.

Claim 5 recites a sealed, multi-handled bag having, among other features,

a non-rescalable sealed body having a first end and a substantially opposite-second end, the second end being substantially opposite the first end in a longitudinal direction of the non-rescalable sealed body....;

a first flap formed from portions of the opposing panels extending in the longitudinal direction beyond the first seam at the first end;

...
wherein the first flap includes a stack of panels formed from the portions of the opposing panels longitudinally extending beyond the seam, the first handle is formed by one of a cut and a series of perforations formed through the stack, and the stack of panels includes a double stack of panels formed from the portions of the opposing panels longitudinally extending beyond the seam being longitudinally folded over and attached to themselves.

Emphasis added. At least this subject matter is not disclosed by Kucksdorf.

In contrast, Kucksdorf discloses a bag having flaps 40' and 42' as shown in Figs. 22 and 23 that extend beyond a heat seal 54. The flaps include *tucked* portions that may increase the thickness of portions of the flaps. However, Kucksdorf clearly fails to teach or suggest *longitudinally* folding over the opposing panels extending beyond the seam and attaching them to themselves as recited in independent claim 5. For at least this reason, Applicants respectfully submit that independent claim 5 and claims 42, 51-54, 58 and 59 depending therefrom are not anticipated by Kucksdorf.

35 U.S.C. §103(a) Rejections

Claims 2, 4, 8-17, 19-21, 24-32, 43-45, 48-50 and 55-57 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kucksdorf in view of U.S. patent no. 5,593,229 to Warr (Warr). Reconsideration and allowance of these claims are respectfully requested.

Independent claims 15, 29 and 32, as amended, recite subject matter pertaining to panels being directly attached to each other to form an untucked seam. At least this subject matter is not taught or suggested by Kucksdorf in view of Warr.

For at least this reason, Applicants respectfully submit that independent claims 15, 29 and 32, as well as claims 2, 4, 8-14, 16, 17, 19-21, 24-28, 30, 31, 43-45, 48-50 and 55-57 depending therefrom, are allowable over Kucksdorf in view of Warr.

Conclusion

Based on the foregoing, Applicants respectfully submit that the application is in condition for allowance and a Notice to that effect is earnestly solicited. Should the Examiner believe that anything further is desirable in order to place the application in even better form for allowance, the Examiner is respectfully urged to contact Applicants' undersigned representative at the below-listed number.

Respectfully submitted,

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